

Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
Library of Congress
Washington, D.C.

In the Matter of

DETERMINATION OF RATES AND TERMS
FOR DIGITAL PERFORMANCE IN SOUND
RECORDINGS AND EPHEMERAL
RECORDINGS (WEB IV)

Docket No. 14-CRB-0001-WB

Received
JUL 20 2014
Copyright Royalty Board

**JOINT MOTION FOR ISSUANCE OF DISCOVERY SCHEDULE AND ALTERATION
OF CASE SCHEDULE**

Pursuant to 37 C.F.R. § 351.5(a), the Case Scheduling Order issued on February 19, 2014, and the Notice of Further Proceedings issued on July 1, 2014, the participants to this proceeding jointly move the Copyright Royalty Judges (“Judges”) to adopt the schedule identified in Appendix A for this proceeding.¹

Since the issuance of the Case Scheduling Order, and at the Judges’ suggestion that the participants might “make a joint motion for alteration of the case schedule,” *see* Case Scheduling Order at 3, the participants have been working together diligently to reach a mutually agreeable schedule that would address certain important aspects of the case schedule and conduct of discovery and the hearings in this proceeding. In so doing, the participants have made every effort to adhere as closely as possible to the overall time parameters set forth in the Judges’ initial Case Scheduling Order. At the same time, the participants believe that the interest in a maximally efficient proceeding that presents an optimal record for the Judges’ consideration

¹ All participants join this motion except College Broadcasters, Inc. (“CBI”). CBI has indicated that it does not oppose this motion, but does not join as it hopes to reach a settlement that would obviate its need to participate under the proposed schedule.

warrants certain modifications to that schedule, the principal elements of which are described below.

Unified Hearing. The Judges previously invited the participants to “make a joint motion for alteration of the case schedule, for example to unify the hearings,” for their consideration. *See* Notice of Participants, Commencement of Voluntary Negotiation Period, and Case Scheduling Order 3 (Feb. 19, 2014). In response to that invitation, the participants have reached basic agreement to propose such a unified hearing in place of dual, direct- and rebuttal-phase hearings. Most of the proposed modifications set forth in the participants’ proposed schedule are designed to accomplish that objective. In lieu of the presently scheduled direct phase hearing (commencing on March 23, 2015), and an additional rebuttal hearing (commencing on May 26, 2015), the proposed amended schedule calls for a single hearing to take place from April 27 through May 29, 2015.

Filing of Written Direct Statements. In the Case Scheduling Order, the Judges directed the participants to file their written direct statements on Monday, October 6, 2014. The participants propose a one-day adjournment of this deadline, until October 7, 2014, in light of the observance of the Jewish holiday Yom Kippur, from the evening of Friday, October 3 through the evening of Saturday, October 4, 2014.

Commencement of Direct-Phase Discovery Period. The Judges’ Case Scheduling Order provides that the direct-phase discovery period is to begin on the same day as the filing of the participants’ written direct statements. The participants propose a two-day period prior to such commencement, to October 9, 2014, so as to be able to effectively formulate their document requests and interrogatories. This time adjustment is consistent with the statute, which contemplates the passage of at least some time between the filing of written direct statements and

the commencement of discovery. *See* 17 U.S.C. § 803(b)(6)(C)(ii)(I). Moreover, it will allow the participants to review and analyze the submissions of their opposing participants, and to formulate appropriately targeted requests for documents “that are directly related to the written direct statement” of their adversaries. *See* 17 U.S.C. § 803(b)(6)(C)(v); 37 C.F.R. § 351.5(b)(1).

Initial Disclosures. As in past proceedings, the participants agree to produce “initial disclosures” on the first day of discovery in each of the direct and rebuttal phases, which comprise a voluntary production of documents relied upon by each witness. The participants request that the Judges adopt such a procedure here.

Rebuttal Discovery Period. The Case Scheduling Order did not provide for a discovery period during the rebuttal phase of this proceeding, but as that Order acknowledged, “the Judges, upon consideration of the views of the participants, may adopt an additional discovery period after participants file written rebuttal statements.” *See* Case Scheduling Order at 3 & n.2; 17 U.S.C. § 803(b)(6)(C)(iv). The participants agree that an additional period of discovery relating to the respective rebuttal submissions of the participants is a critical aspect of this proceeding. The parties will propose specific discovery deadlines for the rebuttal discovery period after the filing of written direct statements. Accordingly, the participants request that the Judges adopt an additional rebuttal-phase discovery period as set forth in Appendix A.

Proposed Findings of Fact and Conclusions of Law. Pursuant to 37 C.F.R. § 351.15, any participant to this proceeding may file proposed findings of fact and conclusions of law after the record has been closed. Indeed, “a party waives any objection to a provision in the determination unless the provision conflicts with a proposed finding of fact or conclusion of law filed by the party.” *Id.* § 351.15(b). In light of these considerations, as well as the recognition that post-hearing submissions and reply submissions have in the past served as valuable means

for the parties to summarize their cases and point the Judges to salient portions of what will be an extensive hearing record, the parties propose building time into the schedule to accommodate opening and reply proposed findings of fact and conclusions of law.

Closing Argument. In light of the proposed alternative schedule described above, including the additional time built in to allow for opening and reply findings and conclusions, the participants respectfully request that the Judges accept their proposed date for closing argument in this action of July 24, 2015, approximately four weeks after the Judges' original date of June 25, 2015.

* * *

Accordingly, the participants herein jointly move the Judges to accept their proposed alternative schedule, attached hereto as Appendix A. If the Judges have concerns about particular aspects of the proposed schedule, the parties would appreciate the opportunity to be heard to attempt to address those concerns.

Dated: July 29, 2014

Respectfully submitted,

By: R. Bruce Rich /sr
R. Bruce Rich
Todd D. Larson
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
Tel: 212.310.8000
Fax: 212.310.8007
r.bruce.rich@weil.com
todd.larson@weil.com

Counsel for Pandora Media, Inc.

By: Glenn Pomerantz /sr
Glenn Pomerantz
Kelly Klaus
Anjan Choudhury
Munger, Tolles & Olson LLP
355 S. Grand Avenue, 35th Floor
Los Angeles, CA 90071-1560
Glenn.Pomerantz@mto.com
Kelly.Klaus@mto.com
Anjan.Choudhury@mto.com
Tel: 213-683-9100
Fax: 213-687-3702

Counsel for SoundExchange, Inc.

By: Bruce A. Joseph /sr

Bruce G. Joseph
Karyn K. Ablin
Michael L. Sturm
Jennifer Elgin
Wiley Rein LLP
1776 K Street, NW
Washington, DC 20006
bjoseph@wileyrein.com
kablin@wileyrein.com
msturm@wileyrein.com
jelgin@wileyrein.com
Tel: 202-719-7000
Fax: 202-719-7049

*Counsel for the National Association of
Broadcasters and National Religious
Broadcasters NonCommercial Music
License Committee*

By: Mary Greenstein /sr

Gary Greenstein
Wilson Sonsini Goodrich & Rosati
1700 K Street, NW, 5th Floor
Washington, DC 20006
ggreenstein@wsgr.com
Tel: 202-973-8849
Fax: 202-973-8899

*Counsel for CMN, Inc., 8tracks, Inc., and
Feed Media, Inc.*

By: Kenneth Steinthal /sr

Kenneth Steinthal
Joseph Wetzel
Ethan Davis
King & Spaulding LLP
101 Second Street, Suite 2300
San Francisco, CA 94105
ksteinthal@kslaw.com
jwetzel@kslaw.com
Tel: 415-318-1200
Fax: 415-318-1300

*Counsel for Amazon.com, Inc., Beats
Music, LLC, National Public Radio, Inc.,
and/or Rhapsody International, Inc.*

By: John Thorne /sr

Mark Hansen
John Thorne
Kellogg, Huber, Hansen, Todd, Evans
& Figel, P.L.L.C.
1615 M Street, NW, Suite 400
Washington, DC 20036
mhansen@khhte.com
jthorne@khhte.com
Tel: 202-326-7900
Fax: 202-326-7999

*Counsel for Clear Channel
Communications, Inc.*

By: Cynthia Greer /sr

Patrick Donnelly
Sirius XM Radio Inc.
1221 Avenue of the Americas
36th Floor
New York, NY 10020
patrick.donnelly@siriusxm.com
Tel: 212-584-5100
Fax: 212-584-5200

Cynthia Greer
Sirius XM Radio Inc.
1500 Eckington Place, NE
Washington, DC 20002
cynthia.greer@siriusxm.com
P: 202-380-1476
F: 202-380-4592

Sirius XM Radio Inc.

By: William Malone /sr

William Malone
40 Cobbler's Green
205 Main Street
New Canaan, Connecticut 06840
malone@ieee.org
Tel: 203-966-4770

*Counsel for Intercollegiate Broadcasting
System, Inc. and Harvard Radio
Broadcasting Co., Inc.*

By: Lee Knife /sr

Lee Knife
Digital Media Association (DiMA)
1050 16th Street, NW
Washington, DC 20036
lknife@digmedia.org
Tel: 202-639-9509
Fax: 202-639-9504

Digital Media Association

By: James Duffett-Smith /sr

James Duffett-Smith
Jared Grusd
Spotify USA Inc.
45 W. 18th Street, 7th Floor
New York, NY 10011
james@spotify.com
jared@spotify.com
Tel: 917-565-3894
Fax: 917-207-3543

Spotify USA Inc.

By: George Johnson /sr

George Johnson
GEO Music Group
23 Music Square East, Suite 204
Nashville, TN 37203
george@georgejohnson.com
Tel: 615-242-9999

GEO Music Group

By: Thomas Cheney /sr

Thomas Cheney
idobi Network LLC
1941 Vermont Avenue, NW
Washington, DC 20001
tom@idobi.com
Tel: 202-297-6977

idobi Network LLC

By: David Rahn /sp

David Rahn
Custom Channels.net, LLC
2569 Park Lane, Suite 104
Lafayette, CO 80026
dave@customchannels.net
Tel: 303-588-2824

Custom Channels.net, LLC

By: David Oxenford /sp

David Oxenford
Wilkinson Barker Knauer, LLP
2300 N Street, NW, Suite 700
Washington, DC 20037
doxenford@wbklaw.com
Tel: 202-383-3337
Fax: 202-783-5851

*Counsel for Digitally Imported Inc.,
AccuRadio, LLC, and Educational Media
Foundation*

By: Rusty Hodge /sp

Rusty Hodge
SomaFM.com LLC
2180 Bryant Street, Suite 208
San Francisco, CA 94110
rusty@somafm.com
Tel: 415-552-7662

SomaFM.com LLC

By: Dale Cendali /sp

Dale Cendali
Kirkland & Ellis LLP
601 Lexington Avenue
New York, NY 10022
dale.cendali@kirkland.com
Tel: 212-446-4800
Fax: 323-446-4900

Counsel for Apple Inc.

APPENDIX A

Direct-Phase Proceedings and Discovery Schedule:

1. Written direct statements filed: October 7, 2014
2. First day of discovery period: October 9, 2014
3. Initial disclosures: October 9, 2014
4. Document requests.

(a) Limits. In the direct phase of discovery, SoundExchange and GEO Music Group shall be collectively limited to 200 document requests and the service-side participants shall be collectively limited to 200 document requests. All parties may serve no more than two sets of documents requests on any other party.

(b) First Set of Document Requests and Responses. The parties' first set of requests shall be served on or before October 13, 2014. The parties must serve written responses/objections and produce responsive documents to the first set of document requests for delivery no later than November 7, 2014.

(c) Second Set of Document Requests and Responses. The parties' second set of requests shall be served on or before November 11, 2014. The parties must serve written responses/objections and produce responsive documents to the second set of document requests for delivery no later than December 3, 2014. For the sake of clarity, a party is free to serve requests on another party on or before November 11, 2014 even if the party seeking documents did not serve requests on the responding party on or before October 13, 2014.

5. Interrogatories.

(a) Limits. Sound Exchange and GEO Music Group shall be collectively limited to 25 interrogatories, and the service-side participants shall be collectively limited to 25 interrogatories, for the direct- and rebuttal-phase discovery periods, combined. In the direct phase of discovery, all parties may serve no more than two sets of interrogatories on any other party.

(b) First Set of Interrogatories. The parties' first set of interrogatories shall be served on or before October 14, 2014. Parties must serve written responses/objections for delivery no later than November 8, 2014.

(c) Second Set of Interrogatories. The parties' second set of interrogatories shall be served on or before November 11, 2014. The parties must serve written responses/objections for delivery no later than December 4, 2014. For the sake of clarity, a party is free to serve interrogatories on another party on or before November 11, 2014 even if the party seeking interrogatory responses did not serve interrogatories on the responding party on or before October 14, 2014.

6. Last day for noticing direct-phase depositions: November 17, 2014.
7. Last day of discovery period: December 8, 2014.
8. Motions to Compel.

Motions to compel may be filed at any time on or before the final day of the Discovery Period, December 8, 2014. Oppositions to motions to compel shall be filed within six (6) business days of service of the motions. Replies in further support of motions to compel shall be filed within three (3) business days of service of the oppositions.

9. Amended Written Direct Testimony.

The deadline for filing amended written direct statements shall be December 23, 2014.

10. Settlement Conference.

The parties will hold the post-discovery settlement conference no later than December 29, 2014. By January 7, 2015, the parties shall file with the Judges a written Joint Settlement Conference Report indicating the extent to which they have reached a settlement.

Rebuttal-Phase Proceedings and Discovery Schedule

11. Filing of written rebuttal statements: February 17, 2015.

In addition to the subject matter set forth for written rebuttal statements in the Judges' February 19, 2014, Scheduling Order, such statements may include updates on topics presented by the same witness in a written direct statement to reflect new information on such topics that became available to the witness after the submission of the written direct statement.

12. First day of rebuttal-phase discovery: February 20, 2015.
13. Initial disclosures: February 20, 2015.
14. Last day of rebuttal-phase discovery period: March 23, 2015.
15. Motions to Compel.

Motions to compel may be filed at any time on or before the final day of the rebuttal discovery period, March 23, 2015. Oppositions to motions to compel shall be filed within six (6) business days of service of the motions. Replies in further support of motions to compel shall be filed within three (3) business days of service of the oppositions.

16. Amended Written Rebuttal Statements.

The deadline for filing amended written rebuttal statements shall be April 7, 2015.

Unified Hearing and Post-Hearing Schedule

17. Motions in Limine.

Motions in limine shall be filed on or before April 10, 2015. Oppositions to motions in limine shall be filed on or before April 17, 2015. There shall be no replies on motions in limine.

18. Unified Hearing.

(a) The Judges will hold a single, unified hearing to encompass the direct and rebuttal phases of this proceeding.

(b) At such hearing, a witness will be permitted to present the testimony set forth in his or her written statement(s) and to respond to written rebuttal statements by other parties' witnesses addressing subjects that the testifying witness addressed in his or her direct or rebuttal statement. Witnesses will not, however, be permitted to testify about new data or analyses undertaken by that witness that were not presented in the witness's written direct or rebuttal statement or to refer to or rely on documents or information not previously provided during discovery.

(c) The hearing in this proceeding shall commence on April 27, 2015, and shall be completed no later than May 29, 2015.

19. Proposed Findings of Fact and Conclusions of Law.

(a) The participants shall file and serve their proposed findings of fact and conclusions of law on June 23, 2015.

(b) The participants shall file and serve their reply findings of fact and conclusions of law on July 17, 2015.

20. Closing Argument.

The closing argument in this proceeding shall be held on July 24, 2015.

Provisions Concerning Conduct of Discovery

21. Initial Disclosures.

(a) On the first day of discovery of the direct- and rebuttal-phase discovery periods, all parties shall produce the documents that witnesses relied upon in preparing their written direct testimony.

(b) In the event that third-party consent or a court order is required before the documents referenced in Paragraph 21(a) can be produced, the party(ies) whose witnesses relied on such documents will attempt in good faith to seek such consent of the third parties with sufficient time to obtain such consent and produce the relevant documents by the first day of discovery. In the event that such consent has not been received for certain documents, on the

first day of discovery, the party(ies) will inform the other parties of the identity and/or nature of the documents for which consent has not been received. The parties will promptly thereafter cooperate, to the extent consistent with contractual obligations, to seek an order from the Judges compelling disclosure and, in any event, will not oppose a motion seeking such an order except to the extent that they are contractually required to do so. Withholding documents while seeking third-party consent shall be without prejudice to any party's ability to move to compel or seek other appropriate relief or remedies.

22. Service and Production.

(a) Parties shall serve document production requests, interrogatories, deposition notices, written responses/objections, motions, oppositions and replies on other parties via email by 5 p.m. on the due date.

(b) Parties shall produce documents in usable and legible formats. Document productions shall be sent by FTP site or comparable mode of delivery, including via email, by 8 p.m. Eastern Time on the date they are due. With respect to Excel spreadsheets created by any witness (or by any witness's staff or research team), or created in connection with any witness's testimony, parties shall produce them in native format maintaining all embedded formulas and settings (subject to any applicable privileges that may apply). With respect to other specific Excel spreadsheets, parties shall endeavor to produce them in native format maintaining all embedded formulas and settings, but only when specifically requested and with reasonable notice. Parties shall cooperate in good faith with respect to document format and production specifications.

23. Depositions.

(a) Notice. Deposition notices must provide at least ten calendar days' notice of the deposition's date, unless less notice is mutually agreed upon by the parties. The parties will make a good faith effort to serve deposition notices as early as possible.

(b) Notice to Judges. The party noticing a deposition is responsible for informing the Judges in writing of the name of the deponent, location, date, time, and contact information for counsel for each deposition.

(c) The participants will give the Judges reasonable notice to enable one or more Judges to be available by telephone during depositions to resolve disputes that may arise.

24. Motions to Compel.

The parties must meet and confer about the particular discovery dispute(s) at issue before filing a motion to compel.

25. No Prejudice

Nothing contained in the foregoing shall prejudice any party or parties from seeking further relief from the Judges.

CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2014, I caused a copy of the foregoing Joint Motion for Issuance of Discovery Schedule and Alteration of Case Schedule to be served by email and first-class mail to the participants listed below:

Cynthia Greer
Sirius XM Radio Inc.
1500 Eckington Place, NE
Washington, DC 20002
cynthia.greer@siriusxm.com
Tel: 202-380-1476
Fax: 202-380-4592

Sirius XM Radio Inc.

Glenn Pomerantz
Kelly Klaus
Anjan Choudhury
Munger, Tolles & Olson LLP
355 S. Grand Avenue, 35th Floor
Los Angeles, CA 90071-1560
glenn.pomerantz@mto.com
kelly.klaus@mto.com
anjan.choudhury@mto.com
Tel: 213-683-9100
Fax: 213-687-3702

Counsel for SoundExchange, Inc.

David Golden
Constantine Cannon LLP
1301 K Street, NW, Suite 1050 East
Washington, DC 20005
dgolden@constantinecannon.com
Tel: 202-204-3500
Fax: 202-204-3501

Counsel for College Broadcasters Inc.

Patrick Donnelly
Sirius XM Radio Inc.
1221 Avenue of the Americas
36th Floor
New York, NY 10020
patrick.donnelly@siriusxm.com
Tel: 212-584-5100
Fax: 212-584-5200

Sirius XM Radio Inc.

C. Colin Rushing
Bradley Prendergast
SoundExchange, Inc.
733 10th Street, NW, 10th Floor
Washington, DC 20001
Tel: 202-640-5858
Fax: 202-640-5883
crushing@soundexchange.com
bprendergast@soundexchange.com

SoundExchange, Inc.

Catherine Gellis
P.O. Box 2477
Sausalito, CA 94966
cathy@cgcounsel.com
Tel: 202-642-2849

Counsel for College Broadcasters Inc.

Janet Malloy Link
Clear Channel Communications, Inc.
75 Rockefeller Plaza, 23rd Floor
New York, NY 10018
janetlink@clearchannel.com
Tel: 210-832-3318
Fax: 210-832-3122

Clear Channel Communications, Inc.

Kenneth Steinthal
Joseph Wetzel
Ethan Davis
King & Spaulding LLP
101 Second Street, Suite 2300
San Francisco, CA 94105
ksteinthal@kslaw.com
jwetzel@kslaw.com
Tel: 415-318-1200
Fax: 415-318-1300

Counsel for Amazon.com, Inc., Beats Music, LLC, National Public Radio, Inc., and Rhapsody International, Inc.

Lee Knife
Digital Media Association (DiMA)
1050 16th Street, NW
Washington, DC 20036
lknife@digmedia.org
Tel: 202-639-9509
Fax: 202-639-9504

Digital Media Association

Mark Hansen
John Thorne
Kellogg, Huber, Hansen, Todd, Evans
& Figel, P.L.L.C.
1615 M Street, NW, Suite 400
Washington, DC 20036
mhansen@khhte.com
jthorne@khhte.com
Tel: 202-326-7900
Fax: 202-326-7999

Counsel for Clear Channel Communications, Inc.

James Duffett-Smith
Jared Grusd
Spotify USA Inc.
45 W. 18th Street, 7th Floor
New York, NY 10011
james@spotify.com
jared@spotify.com
Tel: 917-565-3894
Fax: 917-207-3543

Spotify USA Inc.

Gregory A. Lewis
National Public Radio, Inc. (NPR)
1111 North Capital Street, NE
Washington, DC 20002
glewis@npr.org
Tel: 202-513-2050
Fax: 202-513-3021

National Public Radio, Inc.

David Rahn
Custom Channels.net, LLC
2569 Park Lane, Suite 104
Lafayette, CO 80026
dave@customchannels.net
Tel: 303-588-2824

Custom Channels.net, LLC

Rusty Hodge
SomaFM.com LLC
2180 Bryant Street, Suite 208
San Francisco, CA 94110
rusty@somafm.com
Tel: 415-552-7662

SomaFM.com LLC

Kevin Blair
Brian Gantman
Educational Media Foundation
5700 West Oaks Boulevard
Rocklin, CA 95765
kblair@kloveair1.com
bgantman@kloveair1.com
Tel: 916-251-1600
Fax: 916-251-1731

Educational Media Foundation

Jeff Yasuda
Feed Media, Inc.
3979 Freedom Circle, Suite 610
Santa Clara, CA 95054
jeff@feed.fm
Tel: 650-479-4881
Fax: 415-449-6947

Feed Media, Inc.

Thomas Cheney
idobi Network LLC
1941 Vermont Avenue, NW
Washington, DC 20001
tom@idobi.com
Tel: 202-297-6977

idobi Network LLC

David Oxenford
Wilkinson Barker Knauer, LLP
2300 N Street, NW, Suite 700
Washington, DC 20037
doxenford@wbklaw.com
Tel: 202-383-3337
Fax: 202-783-5851

Counsel for Digitally Imported Inc., AccuRadio, LLC, and Educational Media Foundation

Ari Shohat
Digitally Imported Inc.
3457 Ringsby Court, Suite 212
Denver, CO 80216
ari@di.fm
Tel: 303-997-2202
Fax: 303-997-1058

Digitally Imported Inc.

Gary Greenstein
Wilson Sonsini Goodrich & Rosati
1700 K Street, NW, 5th Floor
Washington, DC 20006
ggreenstein@wsgr.com
Tel: 202-973-8849
Fax: 202-973-8899

Counsel for CMN, Inc., 8tracks, Inc., and Feed Media, Inc.

Bruce G. Joseph
Karyn K. Ablin
Michael L. Sturm
Jennifer Elgin
Wiley Rein LLP
1776 K Street, NW
Washington, DC 20006
bjoseph@wileyrein.com
kablin@wileyrein.com
msturm@wileyrein.com
jelgin@wileyrein.com
Tel: 202-719-7000
Fax: 202-719-7049

*Counsel for the National Association of
Broadcasters and National Religious
Broadcasters NonCommercial Music License
Committee*

David Porter
Chief Executive Officer
8tracks, Inc.
51 Sharon Street
San Francisco, CA 94114
dp@8tracks.com
Tel: 415-948-4216

8tracks, Inc.

Jane Mago
1771 N Street, NW
Washington, D.C. 20036
jmago@nab.org
Tel: 202-429-5459
Fax: 202-775-3526

National Association of Broadcasters (NAB)

Nick Krawczyk
Chief Executive & Creative Officer
CMN, Inc.
7201 Wisconsin Avenue, Suite 780
Bethesda, MD 20814
nick@crystalmedianetworks.com
Tel: 240-223-0846

CMN, Inc.

George Johnson
GEO Music Group
23 Music Square East, Suite 204
Nashville, TN 37203
george@georgejohnson.com
Tel: 615-242-9999

GEO Music Group

William Malone
40 Cobbler's Green
205 Main Street
New Canaan, Connecticut 06840
malone@ieee.org
Tel: 203-966-4770


*Counsel for Intercollegiate Broadcasting
System, Inc. and Harvard Radio Broadcasting
Co., Inc.*

Dale Cendali
Kirkland & Ellis LLP
601 Lexington Avenue
New York, NY 10022
dale.cendali@kirkland.com
Tel: 212-446-4800
Fax: 323-446-4900

Counsel for Apple Inc.

Russ Hauth
Harv Hendrickson
3003 Snelling Drive, North
Saint Paul, MN 55113
russh@salem.com
hphendrickson@unwsp.edu
Tel: 651-631-5000
Fax: 651-631-5086

*National Religious Broadcasters
NonCommercial Music License Committee*


Sabrina A. Perelman